

STEVEN GEORGE,)	AGBCA No. 2004-128-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Steve George, pro se)	
P.O. Box 143)	
Lolo, Montana 59847)	
)	
Representing the Government:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

June 17, 2004

Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge VERGILIO.

On January 20, 2004, the Board received a notice of appeal from Steven George of Lolo, Montana (contractor), regarding his emergency equipment rental agreement, No. 56-0351-3-142, with the respondent, the U. S. Department of Agriculture, Forest Service (Government). Under the agreement, the Government had ordered faller services (the services of the contractor and a chain saw) at the Mineral Prim fire in the Lolo National Forest in Montana. The chain saw of the contractor caught fire and was destroyed during the rental period. The Government recognizes its liability under the agreement regarding the chain saw. The contracting officer has awarded the contractor \$75; the contractor pursues relief here, as it seeks payment totaling \$350.

The Board has jurisdiction over this timely-filed appeal pursuant to the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613, as amended (CDA). Following an initial telephone conference, the Government and contractor successfully resolved the dispute. The contractor provided the Government with additional proof of the purchase price and date of purchase of the chain saw. On June 16, 2004, the Board received from the Government a letter stating that the Government has

made full payment of the amount in dispute. The letter requests that the matter be dismissed with prejudice.

DECISION

Given the settlement of the dispute and the request for dismissal, the Board dismisses with prejudice this appeal.

JOSEPH A. VERGILIO
Administrative Judge

Concurring:

HOWARD A. POLLACK
Administrative Judge

ANNE W. WESTBROOK
Administrative Judge

Issued at Washington, D.C.
June 17, 2004